UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/722,881	11/25/2003	Chang-Hung Lee	5234-0169PUS1	1691

2292 7590 04/11/2008

BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER	
ZHONG, JUN FEI	

ART UNIT	PAPER NUMBER
2623	

NOTIFICATION DATE	DELIVERY MODE
04/11/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary	Application No.	Applicant(s)	
	10/722,881	LEE ET AL.	
	Examiner	Art Unit	
	JUN FEI ZHONG	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *26 December 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3 and 6-13* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3 and 6-13* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This action is responsive to an Amendment filed 12/26/2007. Claims 1-3, 6-13 are pending. Claims 1-3, 7-13 are amended. Claims 4-5, 14-16 are cancelled. The examiner hereby withdraws the rejections of claims 4-5, 9 under 35 USC 112, second paragraph, in light of the amendment.

Response to Arguments

2. Applicant's arguments with respect to claims 1, 7, and 13 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-3, 6-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Margulis (Patent # US 6263503) in view of Callway et al. (Pub # US 2003/00275517), and further in view of Chen et al. (Patent # US 6665751).

As to claim 1, Margulis discloses a multimedia signal transmitting apparatus (e.g., wireless base station 156; Fig. 1 and 5) comprising:

a processing module (e.g., system processor 518) for selecting a compression method (see col. 7, lines 36-53);

a receiving/transferring module (e.g., digitizer 516, ADC 530, and digital AV path 536; Fig. 5) for sending a first digital multimedia signal to the processing module (e.g., based on signal type received and converts to digital form) (see col. 7, line 54-col. 8, line 43; col. 12, lines 15-25; Fig. 8);

the processing module determines a compression ratio according to the compression method and the first transmitting rate (e.g., a 60 field NTSC input video converting to 30 fields per second) (see col. 8, lines 1-10);

a transmitting module (e.g., transmitter 524) for transmitting a second digital multimedia signal, wherein the processing module generates the second digital multimedia signal by compressing the first digital multimedia signal with the compression ratio (see col. 7, line 35-col. 8, line 43; col. 8, lines 56-67).

Margulis does not specifically disclose transmitting at predetermined rate.

Callway discloses transmitting at predetermined rate (e.g., using different transmitter based on video type) (see paragraph 0024);

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have predetermined rate as taught by Callway to the wireless display system of Margulis in order to transmitting video/audio data more efficiently.

Margulis discloses the base station could detect the receiving frequency of digital video bitstream (see col. 7, lines 44-48). Therefore, the system inherently has a rate detecting mechanism.

In fact, Chen discloses a rate measuring module (e.g., rate component 202) for measuring a first transmitting rate of the first digital multimedia signal between the receiving/transferring module and the processing module (see col. 4, lines 28-42; col. 5, lines 40-47; Fig. 4).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have rate measuring module as taught by Chen to the wireless display system of Margulis as modify by Callway in order to provide a streaming media player which can sense a delay in receipt of packets before its buffer is empty (see col. 2, lines 18-20).

As to claim 13, Margulis discloses a multimedia signal transmitting apparatus for transmitting an output signal (e.g., wireless base station 156; Fig. 1 and 5), the apparatus comprising:

a receiving/transferring module (e.g., digitizer 516, ADC 530, and digital AV path 536; Fig. 5) for sending a first multimedia signal (e.g., signal path 517) and a second multimedia signal (e.g., signal path 536) (see col. 7, line 54-col. 8, line 43; col. 12, lines 15-25; Fig. 8);

a processing module (e.g., system processor 518) for compressing the first multimedia signal by a first compression method with a first compression ratio and compressing the second multimedia signal by a second compression method with a second compression ratio, wherein the processing module determines the first compression ratio according to the first compression method and the first transmitting

rate and determines the second compression ratio according to the second compression method and the second transmitting rate (e.g., a 60 field NTSC input video converting to 30 fields per second; digital A/V signal) (see col. 8, lines 1-10) (see col. 7, line 36-col. 8, line 21);

a transmitting module (e.g., transmitter 524) for, transmitting the output signal, the output signal comprising a compressed first multimedia signal and a compressed second multimedia signal outputted from the processing module (see col. 7, line 35-col. 8, line 43; col. 8, lines 56-67; col. 12, lines 52-63; Fig. 8),

Margulis does not specifically disclose transmitting at predetermined rate.

Callway discloses transmitting at predetermined rate (e.g., using different transmitter based on video type), the output signal is not greater than the predetermined transmitting rate (e.g., a Bluetooth 1.0 transmitter can not transmitting signals at 5Mbits/sec) (see paragraph 0024);

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have predetermined rate as taught by Callway to the wireless display system of Margulis in order to transmitting video/audio data more efficiently.

Margulis discloses the base station could detect the receiving frequency of digital video bitstream (see col. 7, lines 44-48). Therefore, the system inherently has a rate detecting mechanism.

In fact, Chen discloses a rate measuring module (e.g., rate component 202) for measuring a first transmitting rate of the first digital multimedia signal between the

receiving/transferring module and the processing module (see col. 4, lines 28-42; col. 5, lines 40-47; Fig. 4).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have rate measuring module as taught by Chen to the wireless display system of Margulis as modify by Callway in order to provide a streaming media player which can sense a delay in receipt of packets before its buffer is empty (see col. 2, lines 18-20).

As to claim 7, it contains the limitations of claim 13 and is analyzed as previously discussed with respect to claim 13 above.

As to claim 2, Callway discloses the apparatus of claim 1, wherein a wireless protocol selected by the transmitting module is from the group consisting of 1EEE802.11a, IEEE802.11b, IEEE802.11g, and Home RF (see paragraph 0024).

As to claim 3, Margulis discloses the apparatus of claim 1, wherein the compression method is selected by the processing module from the group consisting of MP3, MPEG-1, MPEG-2, MPEG-4, MPEO-7, and MPEG-21 (see col. 7, lines 59-64).

As to claim 6, Callway discloses the apparatus of claim 1, further comprising an infrared transmitting module for converting the second digital multimedia signal to an infrared and transmitting the infrared (see paragraph 0015).

As to claims 8-9, they contain the limitations of claims 2-3 and are analyzed as previously discussed with respect to claims 2-3 above.

As to claim 10, it contains the limitations of claim 13 and is analyzed as previously discussed with respect to claim 13 above.

As to claim 11, Margulis discloses the method of claim 7, wherein the first multimedia signal is an analog multimedia signal (e.g., analog signal 514, 528; Fig. 5).

As to claim 12, Margulis discloses the method of claim 7, wherein the first multimedia signal is a digital multimedia signal (e.g., digital signal 536; Fig. 5).

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jun Fei Zhong whose telephone number is 571-270-1708. The examiner can normally be reached on Mon-Fri, 7:30-5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on 571-272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JFZ
03/28/2008

/Vivek Srivastava/

Supervisory Patent Examiner, Art Unit 2623